

SENATE BILL 294
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 11; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to taxation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-5103, is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) Promulgate and publish an assessment manual or manuals for the appraisal, classification and assessment of property for use by local assessors of property in making their assessments of particular classes and parcels of property, including the assessment of the various kinds of personal property owned and used by corporations, partnerships and individuals engaged in business and professions for profit;

SECTION 2. Tennessee Code Annotated, Section 6-22-104, is amended by deleting the section in its entirety and by substituting instead the following:

The ad valorem tax upon the stocks, accounts, and equipment may be assessed and collected in like manner as state and county merchant's ad valorem tax is assessed upon the same property. It is the duty of the county assessor of property and of the comptroller of the treasury to prepare a separate assessment book or roll showing real, personal and mixed property assessable by the county assessor of property or the comptroller of the treasury lying within the limits of the city.

SECTION 3. Tennessee Code Annotated, Section 6-22-106(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) Such tax books, when certified to be true, correct and complete by the finance director, shall be the assessment for taxes in the city for all municipal purposes; provided, that there may be an assessment by the finance director at any time, of any property subject to taxation found to have been omitted, and such assessment shall be duly noted and entered on the assessment books of the city; instead of the assessment made by county and state officials as herein provided, the city may, by ordinance insofar as not prohibited by general laws, provide for and regulate an assessment to be made by its own assessor of property.

SECTION 4. Tennessee Code Annotated, Section 6-51-204(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) The chief executive officer of the municipality shall notify the county assessor of property as to contractions in the territorial limits of the municipality and shall provide the county assessor of property with a complete description of all property affected by the contractions.

SECTION 5. Tennessee Code Annotated, Section 6-55-601, is amended by deleting the section in its entirety and substituting instead the following:

The governing body of any municipality is authorized to:

(1) Elect an assessor of property, who shall be required to make and subscribe to an oath as provided by the general laws of the state of for county assessors of property;

(2) Prescribe the bond that the property assessor shall give; and

(3) Fix the property assessor's compensation and the compensation of any and all deputies or employees.

SECTION 6. Tennessee Code Annotated, Section 6-55-602, is amended by deleting the section in its entirety and by substituting instead the following:

All assessments made by an assessor of property elected pursuant to this part shall be made in accordance with the laws of the state of by which such property is assessed for county purposes.

SECTION 7. Tennessee Code Annotated, Section 6-55-603 is amended by deleting the section in its entirety and by substituting instead the following:

In the event an assessor of property is not so elected, the governing body of any municipality may adopt, by ordinance or resolution, the assessments made by the county assessor of property within the confines of the municipality, and have the assessments as made by the county assessor of property copied and entered on the tax books of the municipality.

SECTION 8. Tennessee Code Annotated, Section 6-55-604, is amended by deleting the section in its entirety and by substituting instead the following:

The governing body of any municipality may provide by ordinance or resolution for the correction of erroneous assessments, and for equalization of assessments made by the assessor of property.

SECTION 9. Tennessee Code Annotated, Section 6-55-605, is amended by deleting the section in its entirety and by substituting instead the following:

The provisions of this part shall not be construed to alter or conflict with any other method provided by law which provides for a municipal assessor of property or for equalization or correction of municipal tax assessments.

SECTION 10. Tennessee Code Annotated, Section 7-53-312(i), is amended by deleting the words "tax assessors" wherever they appear and by substituting instead the words "assessors of property".

SECTION 11. Tennessee Code Annotated, Section 7-64-102(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) The tax deferral granted by this part shall apply to no more than sixty thousand dollars (\$60,000) of the appraised fair market value, as determined from the records of the county assessor of property.

SECTION 12. Tennessee Code Annotated, Section 67-1-514, is amended by deleting the section in its entirety and by substituting instead the following:

Whenever the county legislative body has inaugurated, set up or approved any system of keeping records in the office of the assessor of property of such county, when such system has been approved by the comptroller of the treasury, such system may not be changed, altered, or abolished without approval of the comptroller of the treasury.

SECTION 13. Tennessee Code Annotated, Section 67-2-108(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d) Municipal and county assessors of property shall be permitted by the commissioner and any deputy, agent, clerk, or other officer or employee, to inspect the tax return of any corporation and, upon request of such municipal or county assessors of property, the commissioner and any deputy, agent, clerk, or other officer or employee, shall be required to furnish to such property assessor or the property assessor's authorized representative an abstract of the return of any corporation or supply the property assessor or representative with information concerning any item contained in any return.

SECTION 14. Tennessee Code Annotated, Title 67, Chapter 5, is amended by deleting the words "tax assessor" wherever they appear and substituting instead the words "assessor of property", by deleting the words "tax assessors" wherever they appear and substituting instead the words "assessors of property" and by deleting the words "tax assessor's" wherever they appear and substituting instead the words "property assessor's".

SECTION 15. Tennessee Code Annotated, Section 69-6-106, is amended by deleting the section in its entirety and by substituting instead the following:

The state soil conservation committee shall determine the sufficiency or insufficiency of the petition and the exhibits to the petition, including the certification by the county clerk, or county assessor of property, required in § 69-6-103. If the petition and the attached exhibits meet the requirements of this chapter, the state soil conservation committee shall issue notice that the petition has been found sufficient in form to the acting chair of the board as set forth in the petition.

SECTION 16. Tennessee Code Annotated, Section 69-6-115(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) The county clerk and the county assessor of property are not entitled to any fee for the services required to be rendered by them under this chapter.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.